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COMMITTEE ON THE RIGHTS OF THE CHILD

Eleventh session

SUMMARY RECORD (PARTIAL)* OF THE 260th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 8 January 1996, at 10.30 a.m.

Chairperson: Mrs. BELEMBAGO

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The meeting was called to order at 10.45 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared the session open.

STATEMENT BY THE HIGH COMMISSIONER FOR HUMAN RIGHTS

2. Mr. AYALA LASSO (High Commissioner for Human Rights) said that, in view of his special interest in the promotion and protection of the rights of the child and in the Committee's role in that regard, he had drawn up a programme of action whose aim was to strengthen the implementation of the Convention and which he hoped would shortly become operational.

3. The United Nations was facing a serious financial crisis whose impact was being felt on many levels, including that of documentation. The mounting volume of human rights documents, particularly those relating to the rights of the child, was likely to create serious problems for Conference Services. In order to facilitate the implementation of the Committee's recommendations, he was drawing up a strategy for the promotion of inter-agency cooperation in the area of the rights of the child, for the improvement of relations between the Committee and the management bodies of the agencies concerned and for the involvement of the United Nations coordinators in implementing the Committee's recommendations on technical assistance. He also intended to carry on his efforts vis-à-vis Governments. He was pleased to report that the Government of the Philippines had submitted a request for technical assistance in respect of the administration of juvenile justice as a direct result of the recommendations the Committee had made during its consideration of the initial report of that country.

4. The States parties to the Convention had met in New York on 12 December 1995 and had adopted by consensus an amendment by Costa Rica that the Committee's membership should be increased to 18. The amendment had been endorsed by the General Assembly and would enter into force when it had been accepted by two thirds of the States parties to the Convention.

5. At its fiftieth session, the General Assembly had adopted a number of resolutions with a bearing on the Committee's work, including one entitled "The rights of the child", which urged the States parties to the Convention to ensure that the education of the child was carried out in accordance with article 29 and called upon them to make the principles and provisions of the Convention widely known to adults and children alike, in accordance with article 42.

6. The General Assembly had also expressed support for the work of Mrs. Graça Michel, the expert appointed to undertake the study of the situation of children affected by armed conflicts, and Mrs. Ofelia Calcetas-Santos, the Special Rapporteur on the sale of children, child prostitution and child pornography, both of whom had submitted progress reports. Another resolution on girl children urged States and international organizations to implement strategies aimed at the achievement of equality between the sexes and requested the Secretary-General to ensure that those

goals and activities were taken into account in the implementation of the Beijing Declaration and Platform for Action through the efforts of all United Nations bodies.

7. At its fifteenth session in November 1995, the Committee against Torture had considered the reports of Colombia, Denmark, Guatemala and the United Kingdom and had reviewed 14 communications, of which 5 had been left pending and the remainder declared inadmissible. It had also considered amendments to its rules of procedure.

8. At its thirteenth session held in Geneva in December 1995, the Committee on Economic, Social and Cultural Rights had considered the reports of Algeria, Colombia, Mauritius, Norway and the Ukraine. It had adopted a draft general comment on the economic, social and cultural rights of older persons and had discussed the draft optional protocol to that Covenant. As a result of the overlap between that thirteenth session and the meeting of the pre-sessional Working Group of the Committee on the Rights of the Child, the Chairperson had been able to exchange views with the members of the Committee on Economic, Social and Cultural Rights. Further contacts of that kind between treaty bodies should take place in future and might involve a joint contribution and the sending of a joint delegation to the United Nations Conference on Human Settlements (Habitat II).

9. The two inter-sessional open-ended working groups established to draw up draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflicts and on the sale of children, child prostitution and child pornography would meet in Geneva in January and February 1996. The Committee's participation in the work of those groups would help them achieve satisfactory results.

10. Mrs. SANTOS PAIS said that the request by the Government of the Philippines for technical assistance was encouraging because it demonstrated that the Convention was the ideal instrument for promoting the rights of the child in practical terms. The measures taken by the General Assembly were also promising.

11. However, the Costa Rican amendment to the Convention had troubling implications for the Committee's work. The States parties to the Convention had urged the Committee to improve its methods of work, but they had increased its size. How would the Centre for Human Rights, which was currently serving the Committee in a commendable manner, be able to accommodate the additional work that would be involved? There were 185 States parties and therefore a large number of reports to consider. Formal decisions must be supported by practical measures. Might it be possible to use the staff resources initially earmarked for the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families?

12. Although the volume of documentation must be reduced, it was essential for the members of the Committee to have copies of the texts of significant decisions adopted by the General Assembly and having a bearing on their work so that they might gain an in-depth understanding of those decisions and their

implications. Furthermore, only joint participation would enable the treaty bodies to be forcefully and visibly present at Habitat II, but, without documentation, such cooperation would be difficult.

13. Mr. AYALA LASSO (High Commissioner for Human Rights) said the fact that 185 States were parties to the Convention reflected the Convention's universal acceptance and it was on that basis that the General Assembly had decided to increase the Committee's membership. The Committee's methods of work could always be improved, of course, but the Centre for Human Rights would do its utmost to meet the Committee's needs. The practical problems to which its enlarged membership gave rise should be solved within the context of the general restructuring now under way. The Secretary-General had, incidentally, commended the Centre for its efforts in that regard. If the decisions already adopted were implemented, each of the treaty bodies would be serviced in the optimum manner.

14. The staff resources that had originally been earmarked for the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families had been reassigned as long ago as December 1994 and were therefore not available to the Committee.

15. The fact that the volume of documentation had to be reduced was indeed regrettable, but it was the Member States which had brought about the current circumstances by agreeing to pay contributions to the United Nations and then failing to do so. The Secretariat would nevertheless make every effort to provide essential documentation and both he and Mr. Fall, Assistant Secretary-General for Human Rights, would do all they could to assist the Committee in its work so that it might achieve universality that would set the standard for other treaty bodies and for greater achievements in the field of human rights.

16. The CHAIRPERSON said that the Committee agreed with Mr. Ayala Lasso that Member States should be encouraged to pay their contributions and to assume responsibility for the decisions they adopted. At their recent meeting, the States parties to the Convention had urged the Committee to improve its methods of work, but the efficiency of those methods was closely linked to the resources at the Committee's disposal. The members of the Secretariat were doing an extraordinary job in meeting the Committee's needs, despite being overworked. The Committee was, moreover, the only treaty body that had tried to adapt to current working conditions and to implement the inter-agency cooperative strategy.

ADOPTION OF THE AGENDA (agenda item 1) (CRC/C/47)

17. The provisional agenda (CRC/C/47) was adopted.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 2)

18. Mrs. RAADI-AZARAKHCHI (Secretary of the Committee), replying to a question by Mrs. SANTOS PAIS, said that, with the exception of the Federal Republic of Yugoslavia, which had transmitted a letter stating that it would not be able to send a delegation to take part in the Committee's work, the countries whose reports were to be considered at the current session had

all informed the Committee that their delegations would be present. The explanation for the absence of the Federal Republic of Yugoslavia was to be found in paragraphs 23 and 24 of the report of the ninth session (CRC/C/43), when the Committee had decided to consider the report of that country in its absence at the current session.

19. Since the preceding session, the initial reports of Ghana, Azerbaijan, Bangladesh and Algeria had been submitted, thus bringing the number of reports received by the Committee to 72. In three cases, the Committee had requested additional information. The 43 reports considered to date included those of Rwanda and Paraguay, which had not yet been finalized. At the preceding session, Paraguay had informed the Committee that its supplementary report was in preparation. The number of overdue reports at the end of 1995 had been 75. The file also included various communications concerning reports pending. The Government of the United Kingdom had indicated that the Hong Kong report was expected to be submitted in February; it had expressed its wish that that report should be considered before autumn 1996.

The public part of the meeting rose at 11.30 a.m.